

Rec'd PCT/PTO 08 NOV 2001 #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: LABRIE et al
SERIAL NO: 09/786,305
FILED: MARCH 2, 2001
FOR: APPARATUS FOR DEPLOYING AN AIRBAG THROUGH ...
DOCKET: TRM DV2539
BOX PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

25 JAN 2002

Legal Staff
International Division

PETITION UNDER PCT RULE 4.15(b) AND 37 CFR 1.425
TO ACCEPT FILING WHERE ONE INVENTOR REFUSES TO SIGN
THE REQUEST AND TWO INVENTORS CANNOT BE LOCATED

Dear Sir:

In response to Notification of Missing Requirements under 35 U.S.C. 371, mailed May 8, 2001, Applicants submit this Petition stating the pertinent facts concerning the omitted signatures of co-inventors Craig B. Labrie, John J. Kennedy and Vernon A Daniels.

Referring to MPEP Section 1820, and PCT Rule 4.15(b), this statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning co-inventors for the above-identified patent application.

Applicants confirm that the omitted inventors made the above-identified invention while in the employ of the Assignee and had an obligation of assignment to Textron Automotive Company Inc of this National Stage Application as evidenced by the attached copies of the executed General Power of Attorney of the priority PCT Patent Application No. PCT/US99/13592, Attorney Docket TAC FP0764.003 PCT.

Co-inventor Daniels is no longer employed by Textron Automotive Company, Inc. In spite of repeated efforts, the undersigned was unable to obtain the signature of co-inventor Daniels on the enclosed Declaration, as co-inventor Daniels refused to sign.

In addition, co-inventors Labrie and Kennedy are no longer employed by Textron Automotive Company, Inc. and in spite of repeated efforts, the undersigned was unable to locate co-inventors Labrie and Kennedy, and was therefore unable to obtain the signatures of co-inventors Labrie and Kennedy.

It is therefore respectfully submitted that the present national stage application complies with the requirements of PCT Article 14(1)(a)(i) for the purpose of all designated states (including the United States) without adverse consequences.

The Declaration and Power of Attorney filed herein are signed by all other applicant/inventors.

It is therefore requested that the present application be processed according to the Patent Cooperation Treaty and 37 CFR 1.425.

Respectfully submitted,



Steven J. Grossman
Attorney for Applicant
Reg. No. 35, 001

cjm

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No. EL 848061990 US
Date of Deposit October 9, 2001

I hereby certify that this paper and the papers listed thereon are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PCT, Assistant Commissioner for Patents, Washington, DC 20231

Signature of Person Mailing Carol McClelland

Name of Person Mailing Carol McClelland